IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Appeal No. **137** OF **2007**
IN
Notice of Motion 156 of 2007
in
Suit no. 52 of 2006
WITH
Appeal no. 147 of 2007
in
Notice of Motion 912 of 2007
in
Suit no. 3 52 of 2006

Mr Banu Nanalal Mehta and anr. .. Appellants
vs.
Mrs Ranjana Darius Chibber and ors .. Respondents

Mr. R.D.Soni with Mr. Pankaj Sawant with MR. Mannan Shukla i/b. M/s Khaitan and Jayakar for appellants.
Mr. N. H. Servai, Senior Advocate with Swati Deshpande i/b. M/s. M. S. Bodhanwalla for respondents

CORAM: R.M.S. KHANDEPARKAR
AND
D. G. KARNIK JJ.

DATE: March, 20, 2007

P.C.:

1. On an oral motion made by the counsel for the appellants the appeals are allowed to be withdrawn and stands disposed off leaving all the issues open to be decided by the learned learned Single Judge in the Notice of Motions taken out by the respective parties. We make it clear that we are not expressing any opinion on any of the points or issues involved

in the matter or in relation to any of the rights of the parties. We request the learned Single Judge, in the circumstances of the case, to expedite the hearing and disposal of the Notice of Motion.

2. At the request of the learned counsel for the appellant , in the meanwhile the impugned order stands modified to the extent that in case of income tax or other liabilities towards payments of the dues to the Government or governmental bodies, the impugned order shall not come in the way of withdrawal of the amounts to that extent; however, such withdrawal shall be either by cheques or pay orders issued directly to the Government or governmental department/s and to the extent of the liabilities and after such withdrawal of the amount, the matter shall be informed to the court by the concerned parties. Appeals are accordingly disposed off.

(R.M.S. KHANDEPARKAR J.)

(D. G. KARNIK J.)